

## REMARKS

By the above amendments, claim 12 has been amended to include the limitations of claim 16. Accordingly, reconsideration of the rejection of claim 16 under 35 USC §103 as unpatentable over Veitch in view of Teller is respectfully requested.

As noted by the examiner, the Veitch reference fails to teach the use of a tag in the seal of the container. In fact, it is not clear from Veitch that there is a seal or that a tag could even be placed there. Thus, it is submitted that the proposed combination fails at the inception for this reason. Furthermore, nothing in Teller provides any reason at all for placing a tag in the seal of a sterilizing cassette. The primary object of the Teller patent is to provide a means for controlling the misuse or repeated use of supposedly one-time-use disposable medical products. See, column 1, at lines 37-39. Thus, Teller provides no reason to place a tag in a seal of the Veitch container. If the Veitch container is a one-time-use container, it is entirely adequate to leave the tag 20 in the location shown by Veitch, and there is no indication that any part of the Veitch container is a one-time-use element.

The examiner also relies on the disclosure of Teller found in column 2 at lines 51-55. The disclosure there, however, is merely that of a cleaning system wherein a tag is placed on the article to be cleaned and a reader is provided on the washer. That does not constitute a teaching to provide a tag in the seal of a sterilization cassette.

The presently claimed invention provides unique advantages not available in any of the prior art references, when taken either individually or in combination. Namely, the invention provides a tag in a particular location that allows it to record information relating to instruments in a cassette as well as to record information with respect to the seal itself. Moreover, because the tag is in the seal that lies *between* the tray and the lid, it is accessible electronically without interference from the tray or the lid. These features are not found in the prior art and there is no reason found in the art to modify the references as suggested in the office action.

New claim 20 is patentable for at least the above reasons.

Accordingly, it is submitted that this application is in condition for allowance and an early indication thereof is respectfully requested. The examiner is invited to contact the undersigned with any outstanding issues.

All necessary extensions of time are hereby requested. Please charge any fees to deposit account 50-1088.

Respectfully submitted,  
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Date: December 24, 2008